

SHIPPING INTELLIGENCE.

*A ship and a schooner were signalled to the southward last evening, but owing to the light breeze were not expected to get in before this morning.

DEPARTURES.

May 9.—*Prose*, schooner, Captain Whitfield, for Adelaide. Passengers—Mr. E. L. Montefiore, Mr. R. M. M. Lecky, Mr. J. A. Johnson, and Mr. A. Connolly.
May 9.—*Southern*, schooner, Captain Jennings, for Lancelton.
May 10.—*Prose*, schooner, Captain Whitfield, for South Sea Islands. Passengers—Mr. J. H. Lecky, and two Chinese.
May 10.—*Alexander*, American ship, Captain Jones, for the Whaling Fishery.

COASTERS INWARDS.

May 9.—*Rose*, steamer, 172, Pattison, from Morphet, with 20 bales wool, 20 casks tallow, 64 trusses hay, 220 bags grain, 232 sheep, 4 calves, 3 pigs, 1 dog, 1 horse, 32, Jones, from Broulee, with 20 tons potatoes.

COASTERS OUTWARDS.

May 9.—*Henry*, 16, Johnston, for Shoalhaven, with sundries; *Elizabeth*, 32, Davidson, for the Williams River, with sundries; *Thistle*, 28, Williamson, for the M-Lecky, with sundries; *Rose*, steamer, 172, Pattison, for Morphet, with sundries.

IMPORTS.

May 9.—*Royal William*, cutter, 43 tons, Captain Lewis, from Circular Head: 29 tons potatoes, G. Small; case cigars, Order.

EXPORTS.

May 9.—*Marian*, schooner, Captain Richardson, for South Sea Islands: 6 tierces tobacco, 1 ton hoop iron, 4 cases hardware.
May 9.—*Alexander*, American whaling ship, Captain Jones, for the South Sea Fishery: 2010 barrels black oil.

The schooner *Engle* arrived at Port Phillip on the 28th April, from King's Island, which she left on the 19th. The brig *Emma*, hence 2nd April for Adelaide, was lying there, having taken shelter from the heavy gales of wind which then prevailed; she had much to do with the weather, but was not blown off her anchor.

DIARY.

MEMORANDUM FOR THIS DAY.
May. 11. MONDAY. 6 51 1/2 9 54 1/2 10 18
Moon: Full, 10 m. past 4 P.M. 11.

ROYAL VICTORIA THEATRE.

THIS EVENING, MAY 11.
Will be presented, for the first time, Barnett's Grand Romantic Opera, in three acts, with the whole of the Original Music, (arranged for the orchestra by Messrs. E. and J. Howard), new Scenery, Machinery, Dresses, Properties, &c., entitled the MOUNTAIN SYLPH. Bailie Macwhapple, Mr. Hamilton; Donald, Mr. J. Howard; Charlie, Mr. Simon; Heli, Mr. J. Howard; Hobbes, Mr. Arabin; Zola, (the Mountain Sylph) Mrs. Stirling; Eberia, (the Sylphide Queen) Mrs. Kimina; Dame Gaurile, Mrs. Gibba. After which (for the second time) the laughable farce called MY WIFE'S COME. Mr. Plummy, Mr. Lutz; John Prettyjohn, (his nephew) Mr. Simon; Simmons, Mr. F. Howard; Mrs. Prettyjohn, Mrs. Kimina; Clementina Plummy, Mrs. Wallace. To conclude with the laughable farce of the DOUBLE-BEDDED ROOM. Mr. Dalemire Pipes, Mr. Lutz; Major Minnie, Mr. Hamilton; Joseph, Mr. Simon; Mrs. Deputy Lema, Mrs. Stirling; Nancy Spigot, Madame Toring.

THE Sydney Morning Herald.

MONDAY, MAY 11, 1846

Shewn to no master, of no sect am I.

COUNTRY POST OFFICES.

We have repeatedly had complaints forwarded to us of the manner in which the Post Office at Windsor is managed. The mail arrives at Windsor about nine o'clock p.m., and, according to the regulations, no letters are delivered until nine o'clock the next morning. This of itself is a very inconvenient arrangement, for as the post leaves Windsor for Sydney at four o'clock in the morning, it has the effect of placing a town only thirty-five miles off at two days' distance from Sydney, for no answer to a letter posted in Sydney on Monday can be received until Wednesday. But the particular point which is complained of, is that while people are thus deprived of the right of seeing their letters until they have been kept in the post office twelve hours, the personal friends of the postmaster obtain theirs immediately upon their arrival. The advantage which this gives persons in trade is immense. A shopkeeper seeing goods advertised which he requires, may, by getting his letters as soon as they arrive in Windsor, immediately communicate with his agent, or may start by the mail, be in Sydney, and purchase the articles before his less fortunate rival has received his letters and papers. The post office ought to be kept open half an hour at least after the arrival of the mail, in order that those who think proper to do so may obtain their letters twelve hours sooner than they can do at present. We call the particular attention of the Postmaster-General to this subject, which has caused much dissatisfaction at Windsor. Has not the time arrived when there should be a morning mail throughout the county of Cumberland?

LAW INTELLIGENCE.

SUPREME COURT.—BARON STITTINS.

Before their Honors the three Judges.
NEW ATTORNEYS.
THE ATTORNEY-GENERAL moved for the admission of Mr. Alexander Longmore as an attorney, solicitor, and proctor, of the Supreme Court. It appeared, he said, from the affidavits, that Mr. Longmore had been admitted as a writer of the Court of Sessions in Scotland, and his name was believed to be still on the roll. During the period of five years which had elapsed since his arrival in the colony, he had been connected with the office of Mr. R. J. Want, and he (the Attorney-General) was authorized by that gentleman to state that Mr. Longmore's conduct during that time had been in the highest degree satisfactory, and that he (Mr. Want) entertained the highest opinion of the applicant's integrity and abilities. The affidavit also stated that the roll of the Court had been complied with by giving the usual notice of the intended application.
The Court directed that Mr. Longmore should be admitted.

Mr. Broadhurst moved the admission of Mr. Edwin Dainton, as an attorney, &c., of the Supreme Court. The affidavit showed that this gentleman had served five years in the equity branch of the Supreme Court Office, and the certificate of his services was attached; but the usual practice of giving notice had not been resorted to, as it had not been customary for gentlemen who had served their time in the Supreme Court Office to give such notice.

The Chief Justice said, that this difficulty, if it could be considered as one, had been mentioned to the Judges on Friday, and they had been complied with by giving the usual notice of the point. Upon making enquiry they found that it had not been the practice of gentlemen applying for admission in the Supreme Court to give notice of their intended application.

When applying for admission in virtue of the provisions of the Act, the applicant is required to give notice of his intended application. The Court had formerly held, with reference to this point, that no notice need be given, and the reason assigned for this decision proved to be a satisfactory one, namely, that as these gentlemen were under the immediate inspection of the Judges, who must be supposed to know better than others their qualifications as candidates for admission, there was no necessity for giving a notice to the public of their intention to apply. Under these circumstances the Judges felt bound to admit Mr. Dainton, and as that gentleman had been under the notice of himself and Mr. Justice Barry for several years, and under that of Mr. Justice Dickinson since the arrival of his Honor in the colony, they all felt themselves called upon to bear testimony to the fact that his conduct during that period had been most meritorious, and that he had not only given the utmost satisfaction to the Judges, but likewise, as he believed, to every other person with whom Mr. Dainton had transacted business in his official capacity.

Mr. Dainton's admission was then ordered. Mr. Broadhurst then moved for the admission of Mr. William Redman, an attorney, &c., basing his application upon the certificate of the examiners, and upon the usual affidavit, as to Mr. Redman having served the necessary period of clerkship, and having given notice of his application.

Mr. Redman was ordered to be admitted. The three gentlemen above named were then sworn in according to the usual form.

Mr. Justice Dickinson pronounced judgment in this case, that the defendant broke and entered the plaintiff's close, and made a noise and disturbance therein, and that the defendant was guilty of trespassing upon the plaintiff's close, and that the plaintiff was entitled to recover damages therefor. The defendant pleaded—1st, the general issue; 2ndly, that the close is not the plaintiff's; 3rdly, that the close is the defendant's freehold. The plaintiff replied to the first, and deputed to the second and third pleas. The defendant then argued, that the close was the defendant's freehold, and that the plaintiff was not entitled to recover damages therefor. The plaintiff then argued, that the close was the plaintiff's freehold, and that the defendant was guilty of trespassing upon the plaintiff's close, and that the plaintiff was entitled to recover damages therefor. The Court then gave judgment in favor of the plaintiff, and ordered the defendant to pay damages to the plaintiff.

We have referred to the cases cited, and have considered the pleadings and the arguments of the parties. The result of our consideration is, that the plaintiff is entitled to recover damages for the trespass committed by the defendant. The defendant's plea of freehold is not supported by the evidence, and the plaintiff's plea of trespass is well founded. The Court therefore gives judgment in favor of the plaintiff, and orders the defendant to pay damages to the plaintiff.

On consideration of the case Taylor v. Cole, Garraway v. Smith, Gates v. Bayley, and Dye v. Leatherdale, we think that the explanation of the case is, that the plaintiff is entitled to recover damages for the trespass committed by the defendant. The defendant's plea of freehold is not supported by the evidence, and the plaintiff's plea of trespass is well founded. The Court therefore gives judgment in favor of the plaintiff, and orders the defendant to pay damages to the plaintiff.

Mr. Broadhurst applied for leave to amend the plea upon payment of costs. The Court granted the application, with an intimation that, except the amendment was made, the distinction, they would have done so without costs, if they could have found a precedent for it.

Mr. Dainton moved that the above case, which was an action for a libel published in the *Adelphi* newspaper, might be tried by a jury of twelve common jurors. Mr. Longmore submitted that the case was one which ought to be tried by a special jury. There was a plea of justification, which alleged that the plaintiff had committed almost every crime known to the law, and that upon the facts and the distinction he submitted, that the language of the declaration did not warrant the defendant in supposing that the plaintiff complained of the trespass to the plaintiff's close, and that the third plea ought to have justified the grievance to the goods, and that therefore he had not containing that declaration. The plaintiff therefore entitled to the judgment of the Court upon the demurrers.

Mr. WINDYER then objected to the use of the affidavit, that of Alexander Mackenzie, upon the ground that there was no legal definition therein as to his degree; inasmuch as he was merely described as a "settler," which was a definition unknown to the law.

The Chief Justice said, that there were many points in this case which it would be desirable for them to consider; and, after reading the affidavit carefully over, they would meet in consultation upon the matter on Monday evening. On Tuesday morning, therefore, the Court would sit at a quarter before ten p.m. for the purpose of delivering judgment; and this time would, for that purpose, be included in the term.

THE PRISON SITTINGS.—The trial of causes by juries of four will commence at ten o'clock this morning.

INSOLVENCY PROCEEDINGS. SATURDAY.
Before the Chief Commissioner.
PROOF OF CLAIMS.
In the trust estate of Frederick Peterson, a special meeting was held, at which the late firm of Goaling, Brown, and Co., proved a claim for £95 18s. 10d. T. M. and W. Woolley also proved a claim for £79 18s. 9d., of which £507 17s. 11d. was allowed to be a preferential claim.

In the estate of Archibald Blair, a second meeting was held, when Andrew Lang proved a claim for £145 for rent, and £400 9s. 3d. for interest, and £36 5s. on the said judgment as costs.
MEETINGS OF CREDITORS.
The following is a list of all the meetings of creditors to take place from this date inclusive:
May.—Tuesday, 12.—Michael Gannon, an adjourned special meeting, at half-past 10 a.m. Thursday, 14.—A special meeting, at 2 p.m. Friday, 15.—Robert Crawford, a special meeting, to decide on an offer of composition, at 11 a.m. Saturday, 21.—Thomas McDonnell, a special meeting, to decide on an offer of composition, at 11 a.m. Sunday, 22.—John Dillon, a third meeting, at 11 a.m. Monday, 23.—Christopher Myers, a single meeting, at 11 a.m. Tuesday, 24.—Charles Fenton, a single meeting, at 11 a.m. Wednesday, 25.—John Terry Hughes, a special meeting, for the Trustees to resign, at 11 a.m. Thursday, 26.—Walter Robertson, a special meeting, to decide on an offer of composition, at 11 a.m. Friday, 27.—A special meeting, for the Trustees to resign, at 11 a.m. Saturday, 28.—A special meeting, for the Trustees to resign, at 11 a.m. Sunday, 29.—A special meeting, for the Trustees to resign, at 11 a.m. Monday, 30.—A special meeting, for the Trustees to resign, at 11 a.m. Tuesday, 31.—A special 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